

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Case No. CR06-425-MJP
)	
v.)	PROPOSED FINDINGS OF FACT
)	AND DETERMINATION AS TO
HECTOR MANUEL VILLA-SANCHEZ,)	ALLEGED VIOLATIONS OF
)	SUPERVISED RELEASE
Defendant.)	

INTRODUCTION

I conducted a hearing on alleged violations of supervised release in this case on December 28, 2010. The defendant appeared pursuant to warrant issued in this case. The United States was represented by Douglas Belt Whalley, and defendant was represented by James Luis Vonasch. Also present was Senior U.S. Probation Officer Steven R. Gregoryk. The proceedings were digitally recorded.

SENTENCE AND PRIOR ACTION

Defendant was sentenced on August 10, 2007 by the Honorable Marsha J. Pechman for Conspiracy to Distribute Methamphetamine. He received 12 months and 1 day of detention and 3 years of supervised release.

On November 27, 2007, the Court approved a no action report as a result of Mr. Villa-

1 Sanchez's admitted use of cocaine on or before November 13, 2007.

2 On March 19, 2008, the Court approved a no action report as a result of Mr. Villa-Sanchez's
3 use of cocaine on or before March 3, 2008. At that time, Mr. Villa-Sanchez was participating in
4 an outpatient substance abuse treatment program.

5 On August 4, 2008, the Court approved a modification of Mr. Villa-Sanchez's supervision
6 conditions to include the condition that he participate in the electronic monitoring program for a
7 period of 120 days as a result of his admitted use of cocaine on July 4, 2008. This modification
8 was later deleted at the request of the probation office since Mr. Villa-Sanchez had been
9 sentenced in Skagit County Superior Court to a sentence of 10 months custody as a result of an
10 assault charge stemming from an incident occurring in 1995.

11 On August 1, 2010, the Court approved a voluntary modification to Mr. Villa-Sanchez's
12 supervision which required him to participate in a residential reentry center (RRC) for a period
13 of 120 days.

14 PRESENTLY ALLEGED VIOLATIONS

15 In a petition dated December 1, 2010, Senior U.S. Probation Officer Steven R. Gregoryk
16 alleged that defendant violated the following conditions of supervised release:

17 1. Failure to submit to a urinalysis sample as instructed on November 29, 2010 and
18 November 30, 2010, in violation of the special condition of supervision which states that the
19 defendant shall submit to drug testing.

20 2. Failure to follow the instruction of the probation officer on November 30, 2010, in
21 violation of standard condition No. 3.

22 FINDINGS FOLLOWING EVIDENTIARY HEARING

23 Defendant admitted the above violations, waived any hearing as to whether they occurred,

1 and was informed the matter would be set for a disposition hearing on January 11, 2011 before
2 District Judge Marsha J. Pechman.

3 RECOMMENDED FINDINGS AND CONCLUSIONS

4 Based upon the foregoing, I recommend the court find that defendant has violated the
5 conditions of his supervised release as alleged above, and conduct a disposition hearing.

6 DATED this 28th day of December, 2010.

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10 BRIAN A. TSUCHIDA
11 United States Magistrate Judge
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